

New York Office
40 Rector Street, 5th Floor
New York, NY 10006-1738

T 212.965.2200
F 212.226.7592

www.naacpldf.org



Washington, D.C. Office
700 14th Street, NW, Suite 600
Washington, D.C. 20005

T 202.682.1300
F 202.682.1312

December 29, 2021

VIA ECF

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Grottano, et al. v. City of New York, et al., 15 Civ. 9242 (RMB)(KNF)

Dear Judge Berman:

We are co-counsel to Plaintiffs in the above-referenced class action. In consultation with Defendants and the claims administrator, RG/2, we write to update the Court about the status of the claims administration.

- The City has transferred the Settlement Fund of \$12.5 million to the claims administrator.
- The Named Plaintiffs have received their service awards. The checks were delivered to the offices of Menken Simpson & Rozger LLP on December 23, 2021. They were overnighted to the Named Plaintiffs, who had their checks in-hand on December 24, 2021.
- The City has now entered complete personal identifying information for approximately 10,371 claimants in advance of the January 2022 submission of data to the Center for Medicare and Medicaid Services (CMS). The City still anticipates that claimants with child support liens can be identified by January 14, 2022, the date by which Your Honor expected CMS results to have been returned at the last conference.
- Plaintiffs' motion on behalf of claimants with extenuating circumstances who filed their initial claim forms late has been adjudicated. Supplemental Information Forms ("SIFs") have been sent to the 10 individuals who were the subject of the contested motion and the 8 individuals with extenuating circumstances whose late initial claims the City agreed to accept without the Court's intervention.



- Cure letters have been sent to individuals who (1) maintain that they visited a DOC facility during the class period and, therefore, should have been included on the class list; (2) should have but did not receive a SIF; (3) indicated that they were invasively searched but neglected to complete the narrative portion of their SIF; and (4) have otherwise valid claims but neglected to include a signature and/or social security number on their SIF's certification page. Today the claims administrator sent the remaining cure letters, to the 147 claimants whose claims were initially rejected by the claims administrator but the Parties have agreed should be accepted. These individuals have 21 days to cure their deficient SIFs. The claims administrator will then calculate the pro-rata distribution, finalize the class list, and effectuate payment to class members without lien issues.

Sincerely,
Raymond Audain

Cc: all counsel of record (via ECF)